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27 Inc., and Humboldt Baykeeper*

28 **IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

29 THE SIERRA CLUB, INC., CENTER FOR  
30 BIOLOGICAL DIVERSITY, WATERKEEPER  
31 ALLIANCE, INC., CALIFORNIA  
32 COASTKEEPER ALLIANCE, RIVERKEEPER,  
33 INC., LOUISIANA ENVIRONMENTAL  
34 ACTION NETWORK, SUNCOAST  
35 WATERKEEPER, INC., and HUMBOLDT  
36 BAYKEEPER,

37 Plaintiffs,

38 Case No. C 14-5141-EMC

39 **PLAINTIFFS' VOLUNTARY  
40 DISMISSAL**

1 v.  
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4

UNITED STATES NATIONAL MARINE  
FISHERIES SERVICE and UNITED STATES  
FISH AND WILDLIFE SERVICE,

5 Defendants.  
6  
7

### **PLAINTIFFS' VOLUNTARY DISMISSAL**

8 **COME NOW** Plaintiffs pursuant to F.R.C.P. 41(a)(1)(A)(i) and dismiss this lawsuit,  
9 with all parties to bear their own costs and fees.  
10

11 This dismissal is in accordance with the Joint Stipulation and Order [ECF No. 50] in this  
12 case; and with the order of the Second Circuit dated April 14, 2015, granting the parties' joint  
13 motion to add the National Marine Fisheries Service and U.S. Fish and Wildlife Service (jointly  
14 "the Services") as respondents in *Cooling Water Intake Structure Coalition v. EPA*, No. 14-4645  
15 (lead case) and consolidated cases; the amendment of the petitions in those cases to include the  
16 challenges to the Services' biological opinion and incidental take statement on the EPA's Clean  
17 Water Act 316(b) Rule, 79 Fed. Reg. 48,300 (August 15, 2014); and the subsequent intervention  
18 of the non-petitioning Plaintiffs from this case into the Second Circuit cases.  
19  
20

Dated: May 22, 2015  
21

22 Respectfully submitted:  
23

24 s/ Eric Huber  
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